

JAN 27 2010

Application Serial No. 10/594,106
Reply to office action of July 31, 2009

PATENT
Docket: CU-5118

Amendments To The Drawings:

The attached drawing sheets include changes to fig. 5. This sheet contains corrections shown in red for the examiner's approval and is requested to replace the original sheet of fig. 5.

Attachment: Replacement Sheet(s) of fig. 5

Annotated Sheet(s) Showing Changes to fig. 5

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REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

Claims 1-12 are pending before this amendment. No new matter has been added.

Drawings

In the office action (page 2), fig. 5 of the drawings is objected to as failing to show stage "100". FIG. 5 shows a stage 10 between stage 125 and stage 105. As supported by the description [0046-0047], stage 10 is erroneously marked and should instead be marked as stage 100. Accordingly, the applicants submit annotated and replacement drawings of FIG. 5 corrected this error.

Claim Rejections - 35 USC §103

In the office action (page 3), claims 1, 2 and 5-12 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Publication No. 2003/0154399 (Zuk) in view of U.S. Patent No. 6,851,061 (Holland).

The applicants have carefully reviewed the newly cited references ZUK and HOLLAND (plus ORMAZABAL), and comes to the conclusion that the invention as claimed is patentable over these citations, for the following reasons.

In the office action, the examiner's point of view is that ZUK discloses all the features of claim 1 (and 6), except that in ZUK, there is no mention of attaching secondary connections induced by a main connection to the authorization of the main connection. The examiner contends that HOLLAND discloses this feature, and it would have been obvious to a person having ordinary skill in the art, at the time the invention was made, to combine the teachings of ZUK and HOLLAND and arrive at the claimed invention.

The applicants respectfully disagree because :

- the difference between the invention as claimed in claim 1 (and 6) and ZUK is not only the one mentioned by the Examiner (2.1), and
- HOLLAND does not disclose the difference between the claimed invention and

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ZUK as indentified by the Examiner, nor does HOLLAND discloses the difference identified by the applicant (2.2).

2.1 Regarding ZUK

Not only does ZUK not disclose attaching secondary connections induced by a main connection to the authorization of the main connection, **but also**, ZUK does **not** disclose automatic recognition of the accessing protocol, independtly of the communication port used by said protocol.

ZUK at best discloses verifying the conformity of the communication flowing in a given connection to a specific protocol, but nothing in ZUK shows that this protocol is automatically recognized prior to conformity checking, independantly of the communication port used.

In fact, ZUK fails to even address the problem of how to recognize the accessing protocol. Therefore, ZUK proceeds with usual technics, contrary to the presently claimed invention in which we may speak about « clever » recognition.

On top of the difference between the clailed invention and ZUK as identified by the Examiner, regarding the secondary connections, this difference is of particular importance since more and more applications communicate via dynamic or variable ports, so that it is not possible to rely on the communication port used to determine the accessing protocol (see description of the application, paragraph 6).

Therefore, the claimed invention differs from ZUK at least in that :

- (i) the secondary connections induced by a main connection are attached to the authorization of the main connection
- (ii) and the accessing protocol is automatically recognized, independantly of the communication port used.

2.1 Regarding HOLLAND

Regarding (i) :

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In HOLLAND, the stack multiplexor disclosed, capable of switching, redirecting and/or opening connections, gives no information on attaching secondary connections induced by a main connection to the authorization of said main connection.

In fact, the question of authorization of a main connection is not addressed in HOLLAND.

Accordingly, even assuming, arguendo, that HOLLAND teaches to the person with ordinary skill in the art, that secondary connections, induced by a main connection, may be opened; Holland does **not** teach how to handle these secondary connections in **terms of authorization**.

Regarding (ii) :

On top of what is mentioned just above, there is no mention in HOLLAND whatsoever of automatic recognition of accessing protocol, independantly of the communication port used.

It is therefore respectfully submitted that a person with ordinary skill in the art, even when combining the teachings of ZUK and HOLLAND, would not reach the claimed invention as claimed in claim 1 (and 6).

In the office action (page 6), claims 3 and 4 stand rejected under 35 U.S.C. §103(a) as being obvious over Zuk in view of U.S. Patent No. 7,076,393 (Ormazabal).

As already recognized by the examiner, ORMAZABAL does not disclose at all the features (i) and (ii).

Therefore, a person with ordinary skill in the art, would not reach the invention as claimed in claim 1 (and 6), even when combining the teachings of ZUK, HOLLAND and OrMAZABAL.

Accordingly, Applicants submit that claim 1 (and 6) is patentable in view of the prior art cited.

As claims 2 to 5 depends on claim 1 , and claims 7 to 12 depend on claim 6, they incorporate all features of claims 1 and 6 respectively. Applicants respectfully

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submit that these claims are allowable at least by virtue of their dependency as well as the additional features recited in each of these claims.

For the reasons set forth above, the applicants respectfully submit that claims - 12, now pending in this application, are in condition for allowance over the cited references. Accordingly, the applicants respectfully request reconsideration and withdrawal of the outstanding rejections and earnestly solicit an indication of allowable subject matter.

This amendment is considered to be responsive to all points raised in the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,

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APPENDIX OF ATTACHMENTS

**Replacement Sheet of fig. 5
(a total of one sheet of drawings)**

and

**Annotated Sheet Showing Changes to fig. 5
(a total of one sheet of drawings)**